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*Attorney for Defendant*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA, )  
Plaintiff, ) CASE NO: 2:16-CR-230  
vs. )  
DEVIN THOMPSON, )  
Defendant. )

**STIPULATION FOR EXTENSION OF TIME TO FILE REPLY**  
**(First Request)**

IT IS HEREBY STIPULATED AND AGREED, by and between ROBERT KNIEF, Assistant United States Attorney, counsel for Plaintiff, and BENJAMIN DURHAM, counsel for Defendant, that the deadline to reply to the Government's Response (ECF#146) to the Defendant's Motion to Suppress filed on January 2, 2018 (ECF #143), be extended until January 23, 2018. The Reply is currently due on January 16, 2018.

This Stipulation is entered into for the following reasons:

1. Defense counsel needs additional time to research and prepare the reply to the Government's Response. Additionally, defense counsel is currently out of the jurisdiction and unable to file the reply on or before the current due date.

- 1           2. All parties agree to the extension  
2           3. The additional time requested herein is not sought for purposes of delay.  
3           4. Additionally, denial of this request for extension of time could result in a  
4 miscarriage of justice.  
5           5. This is the first request for extension of time to file the reply brief.

7           DATED this 16th day of January, 2018.

8           BENJAMIN DURHAM LAW FIRM

DANIEL G. BOGDEN  
United States Attorney

11           */s/ Benjamin Durham*

11           */s/ Robert Knief*

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12           BENJAMIN DURHAM  
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12           ROBERT KNIEF  
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9 **UNITED STATES DISTRICT COURT**

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14 Plaintiff, ) CASE NO: 2:16-CR-230  
15 vs. )  
16 DEVIN THOMPSON, )  
17 Defendant. )  
18 \_\_\_\_\_)

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20 **FINDINGS OF FACT**

21 Based on the pending stipulation of counsel, and good cause appearing, the Court  
22 finds:

- 23 1. Defense counsel needs additional time to research and prepare the reply to the  
24 Government's Response (#146). Additionally, defense counsel is currently out of the  
25 jurisdiction and unable to file the reply on or before the current due date.
- 26 2. All parties agree to the extension.
- 27 3. The additional time requested herein is not sought for purposes of delay.
- 28 4. Additionally, denial of this request for continuance could result in a miscarriage  
of justice.
5. This is the first request for extension of time.

For all of the above-stated reasons, the ends of justice would best be served by granting an extension of time to file the reply brief.

## **CONCLUSIONS OF LAW**

The ends of justice served by granting said extension outweigh the best interest of the public, since the failure to grant said extension would be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare, taking into account the exercise of due diligence.

## **ORDER**

IT IS HEREBY ORDERED that the reply brief, currently due on January 16, 2018, is extended and due on January 23, 2018.

DATED AND DONE this 19th day of January, 2018.

**UNITED STATES MAGISTRATE JUDGE**